

UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF NEW YORK

-----X
ROBERT ALLEN LEE, individually and on
behalf of all others similarly situated,

Plaintiffs,

-against-

STACY MAKHNEVICH and ASTER
DENTAL, a/k/a CHRYSLER BUILDING
DENTAL ASSOCIATION, a/k/a NORTH
EAST P.C., a/k/a SOUTH EAST DENTAL
SUITE, a/k/a LINCOLN SQUARE DENTAL
ARTS, a/k/a LINCOLN SQUARE DENTAL
ARTS OF MANHATTAN, a/k/a CHRYSLER
DENTAL,

Defendants.

Civil Action No. 11 cv. 8665 (PAC)

**DEFENDANT'S MOTION TO
DISMISS PLAINTIFFS'
COMPLAINT IN LIEU OF AN
ANSWER**

-----X
Defendants STACY MAKHNEVICH ("Makhnevich") and ASTER DENTAL ("Aster Dental") hereby respectfully moves this Court to dismiss Plaintiff ROBERT ALLEN LEE ("Lee")'s Complaint. In support thereof, Defendants submit the accompanying Memorandum of Law.

Dated: March 19, 2012

Respectfully Submitted,



DAVID M. SCHWARTZ
DS9776
1044 Northern Blvd. Suite 302
Roslyn, New York 11576
Phone: (516) 880-8170
Fax: (516) 880-8171
Dschwartz@gerstmanschwarz.com

Domingo J. Rivera, Esq. (VSB # 71407,
Admission Motion to Follow)
RIVERA LAW GROUP
8527 Mayland Drive, Suite 107
Richmond, VA 23294
Phone: (804) 332-6585
Fax: (866) 651-2004
djr@icyberlaw.com

Counsel for Defendants

To: Honorable Paul A. Crotty
United States District Court Judge